

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 46-52 are pending in this application. Claims 46-52 were rejected under 35 U.S.C. § 103(a) as unpatentable over Pipkin, Inc.'s Maxima Advantage System (herein "Pipkin") in view of U.S. patent 6,587,831 to O'Brien.¹

Addressing the above-noted rejection, that rejection is traversed by the present response. Initially, applicants note the claims are amended by the present response to clarify features recited therein. Applicants believe no new matter is added.² Specifically, the claims clarify that employee information can be stored for employees "who are grouped". The claims also clarify that a "temporary shift table distribution unit" distributes an e-mail of a temporary shift table to mobile telephones of the users. Independent claim 1 also clarifies further features of "a response information receiving unit", "a recruiting information distribution unit", an application information receiving unit", "a settled shift table generation unit", "a settled shift table distribution unit", and "an application information sending unit". Other of the independent claims are similarly amended.

Features clarified in each of the independent claims are directed to allowing a work management system to efficiently set work schedules both for normal work operation and for special events, and that can generate and properly distribute a temporary shift table indicating the employee set work schedules. The employees can then either approve that temporary shift table or request a change thereto. Further, according to the clarified features in the claims the employees be grouped, for example according to job types that employees can engage in, qualifications, experience, etc. A recruiting e-mail can then be sent to all employees in an appropriate group to fill any workforce shortage, the employees can respond to such e-mails, and then a settled shift table can be generated and distributed.

¹ Applicants note the Pipkin system is disclosed in four different references cited in the Office Action.

² See for example Figure 19 in the present specification and the corresponding discussion therewith for support of the claim amendments.

Applicants respectfully submit the features reflected in the claims clearly distinguish over the applied art.

As noted above the rejection is based on a combination of teachings in the Pipkin Maxima Advantage System and O'Brien. However, applicants respectfully submit those references do not fully meet the claim features. Specifically, neither of the cited references addresses recruiting employees when there is a workforce shortage. As clarified in the claims after responses are received from e-mails with respect to a distributed temporary shift table, an e-mail can be sent to recruit persons to fill a workforce shortage, particularly directed to employees in a designated group. With such a claimed operation the system of the present invention can target specific groups of employees to fill specific workforce shortages.

Based on responses from the e-mail for recruiting persons to fill the workforce shortage, a settled shift table can then be generated and distributed by e-mail.

The above-noted features reflected in the claims are believed to clearly distinguish over the applied art.

That is, neither the Pipkin system nor O'Brien disclose or suggest such operations of recruiting employees for a workforce shortage after setting up a temporary shift table.

Moreover, O'Brien merely discloses that when there is a request for a schedule change from a terminal of an employee (when an auction is to be held), other employees will be notified that a shift request will be auctioned. However, O'Brien does not even disclose who will be notified of such a fact, and it appears that in O'Brien all other employees will be notified of that fact.

In the claimed invention a more targeted e-mail can be sent to employees in a specific group to fill a workforce shortage. That is, in the claimed invention it is not necessary for all employees to be notified of such a recruiting to fill a workforce shortage, but an e-mail can be

sent to employees belonging to an appropriate group. O'Brien does not disclose or suggest the claimed features and does not cure the deficiencies in Pipkin.

In view of these foregoing comments applicants respectfully submit that the claims as written clearly distinguish over Pipkin in view of O'Brien.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Attorney of Record
Registration No. 34,648

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)

Surinder Sachar
Registration No. 34,423